

HALLETT & PERRIN

LELAND C. DE LA GARZA

Board Certified – Civil Trial Law

Texas Board of Legal Specialization

D 214.922.4164 F 214.922.4142

ldelagarza@hallettperrin.com

October 25, 2019

VIA ECF

Honorable Joseph A. Dickson, U.S.M.J.
Martin Luther King Building & U.S. Courthouse
50 Walnut Street, 2D
Newark, NJ 07101

Re: *Patricia O'Connor and Megan O'Connor v. The Dodge Company, et al.*,
Case No. 2:16CV05177 (D.N.J.)

Dear Judge Dickson:

This firm represents Defendant Pierce Chemicals Royal Bond Company (now known as Firestone and Barber Investments, Inc.) (“Pierce”) in the above-referenced matter. We write jointly with counsel for Plaintiffs Patricia and Megan O’Connor (“Plaintiffs”), Defendant Hydrol Chemical Company (“Hydrol”), and Defendant The Dodge Company, Inc. (“Dodge”) (collectively, the “Parties”).

Consistent with the Court’s direction and August 28, 2019 text order [Dkt. 111], Plaintiffs’ counsel deposed representatives of Dodge and Hydrol on September 16, 2019, and October 4, 2019, respectively. Counsel for Pierce had been planning to travel, with Pierce’s representative, from Dallas, Texas, where they live, to New Jersey in September for Pierce’s deposition. However, counsel for Pierce postponed scheduling its representative’s deposition when he began experiencing health issues that required a surgical procedure and restricted his ability to travel to New Jersey.

Initially, Pierce’s representative believed that the travel restrictions his doctor had imposed were only temporary and that he would be able to travel again shortly. Once it became clear that his health problems were ongoing and airplane travel was not an option, counsel for Pierce and counsel for Plaintiffs coordinated to schedule a telephonic deposition. That deposition was taken by agreement Wednesday, October 23, 2019.

Because 14 days passed between the Court’s October 9, 2019 deadline for the parties to complete fact depositions and October 23, 2019, when Pierce’s deposition was taken, the Parties have agreed amongst themselves to extend their deadlines to designate their experts the same 14 days, making Plaintiffs’ deadline to designate its affirmative experts November 14, 2019, and Defendants’ deadline to designate their responding experts December 20, 2019.

The Parties respectfully request that the Court approve their new, agreed-to expert designation deadlines and enter a text order confirming such deadlines. The Parties contend that good cause exists to extend these deadlines based upon the Pierce representative’s ongoing health

Hon. Joseph A. Dickson
October 25, 2019
Page 2

issues. The Parties are available to confer with the Court on this matter via telephone conference if the Court so desires.

Please do not hesitate to contact us with any questions or concerns.

Respectfully submitted,

/s/ Leland C. de la Garza

Leland C. de la Garza
Counsel for Defendant Pierce Chemicals Royal
Bond Company

/s/

Robert Tandy
Counsel for Plaintiffs Patricia and Megan O'Connor

/s/

Emily Weisslitz
Counsel for Defendant The Dodge Company, Inc.

/s/

Peri A. Berger
Counsel for Defendant Hydrol Chemical Company